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**UNITED STATES DISTRICT COURT,
DISTRICT OF ARIZONA**

Jimmy Ashing,)	Case No.:
)	
Plaintiff,)	COMPLAINT AND DEMAND FOR
)	JURY TRIAL
v.)	
)	(Unlawful Debt Collection Practices)
Ltd Financial Services,)	
)	
Defendant.)	

PLAINTIFF'S COMPLAINT

JIMMY ASHING (Plaintiff), through his attorneys, KROHN & MOSS, LTD., alleges the following against Ltd Financial Services (Defendant):

INTRODUCTION

- Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).

JURISDICTION AND VENUE

- Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
- Defendant conducts business in the state of Arizona, and therefore, personal jurisdiction is established.
- Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

PARTIES

5. Plaintiff is a natural person residing in Payson, Arizona.
6. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*.
7. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)*, and sought to collect a consumer debt from Plaintiff.
8. Defendant is a collection agency with offices in Houston, Texas and conducts business in Arizona.
9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

10. Defendant placed collection calls to Plaintiff seeking and demanding payment for an alleged debt.
11. For approximately eighteen months Defendant placed collection calls to Plaintiff approximately every other day.
12. Plaintiff has repeatedly told defendant that he is unemployed and cannot repay the debt.
13. For approximately four to five months Defendant threatened to file a wage garnishment against Plaintiff when he returns to work.

**COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

14. Defendant violated the FDCPA based on the following:
 - a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of this is to harass, abuse, and oppress the Plaintiff;
 - b. Defendant violated §1692e of the FDCPA by making false, deceptive, and

misleading representations in connection with the debt collection; and

- c. Defendant violated §1692e(4) of the FDCPA by representing or implying that nonpayment of the alleged debt would result in a wage garnishment against Plaintiff when such action was not lawful and Defendant never intended to take such action.

WHEREFORE, Plaintiff, JIMMY ASHING, respectfully requests judgment be entered against Defendant, LTD FINANCIAL SERVICES, for the following:

15. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k,

16. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k

17. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

Plaintiff, JIMMY ASHING, demands a jury trial in this cause of action.

RESPECTFULLY SUBMITTED,

DATED: June 16, 2011

KROHN & MOSS, LTD.

By: /s/ Ryan Lee

Ryan Lee
Attorney for Plaintiff

VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF ARIZONA

Plaintiff, JIMMY ASHING, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, JIMMY ASHING, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

DATE: 6/16/2011

Jimmy Ashing
JIMMY ASHING